

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS

KIMBERLY KJESSLER, KLAIRE  
RUECKERT, LAURA BRALEY, TIMOTHY  
HAYDEN and SUMMER LANG, individually  
and on behalf of all others similarly situated,

*Plaintiffs,*

v.

ZAAPPAAZ, INC., AZIM MAKANOJIYA,  
NETBRANDS MEDIA CORP.,  
MASHNOON AHMED, GENNEX MEDIA,  
LLC, BRANDECO, L.L.C., AKIL KURJI,  
CUSTOM WRISTBANDS INC., and  
CHRISTOPHER ANGELES,

*Defendants.*

Civil Action No. 4:18-cv-0430  
(Consolidated)

**DECLARATION OF KEITH S. DUBANEVICH IN SUPPORT OF  
MOTION FOR AWARD OF ATTORNEYS' FEES AND LITIGATION EXPENSES**

I, Keith S. Dubanevich, declare as follows:

1. I am a partner at Stoll Berne. I submit this declaration in support of Plaintiffs' motion for an award of attorneys' fees and expenses in connection with the services rendered, and costs and expenses incurred, in the above-captioned action (the "Action").
2. My firm served as Plaintiffs' Counsel in the Action.
3. The schedule attached as Exhibit 1 sets forth my firm's total hours and lodestar, computed at historical rates, for the period of inception of the case through and including today's date. The total number of hours spent by my firm during this period was 159.40, with a corresponding total lodestar (at historical rates) of \$78,924.50. This schedule was prepared from contemporaneous daily time records prepared and maintained by my firm. In connection with representing the Plaintiffs

in the Action, my firm did the following: investigating the underlying factual record and developing the legal theories of the case; interviewing witnesses; reviewing and responding to motions to transfer; drafting the initial complaints and the subsequent consolidated amended class action complaint; drafting the opposition to Defendants' motions to dismiss; drafting and serving discovery on Defendants; responding to discovery served by Defendants; reviewing, analyzing, summarizing, and organizing documents produced by Defendants; analyzing Defendants' transactional data; retaining and working with economists to prepare preliminary damages models for and assess the financial condition of each Defendant; coordinating case strategy and discovery with Plaintiffs' co-counsel; negotiating and revising draft settlement agreements for each Defendant group; and revising draft preliminary and final settlement approval motions. The lodestar amount reflected in Exhibit 1 is for work performed by attorneys and professional staff at or affiliated with my firm for the benefit of the Class. The hourly rates for the attorneys and professional staff in my firm reflected in Exhibit 1 are the usual and customary hourly rates historically charged by my firm in similar complex litigation matters that are handled on a non-contingent fee basis.

4. My firm has expended a total of \$3,263.47 in unreimbursed costs and expenses in connection with the prosecution of the Action from inception of the case through and including today's date. These costs are set forth in the Schedule attached as Exhibit 2 and are reflected in the books and records of my firm. They were incurred on behalf of Plaintiffs by my firm.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.



Keith S. Dubanevich  
Shareholder  
Stoll Berne

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**EXHIBIT 1 TO THE DECLARATION OF KEITH S. DUBANEVICH IN SUPPORT OF  
MOTION FOR AWARD OF ATTORNEYS' FEES AND LITIGATION EXPENSES**

**Reported Hours and Historical Lodestar**  
Inception Through Today's Date

<b>Name</b>	<b>Position</b>	<b>Hours</b>	<b>Historical Rate</b>	<b>Lodestar</b>
Steve Larson	P	12.5	635.00	7,937.50
Angel Falconer	PL	.3	295.00	88.50
Angel Falconer	PL	1.5	310.00	465.00
Steve Berman	P	.6	510.00	306.00
Keith Dubanevich	P	57.3	635.00	36,385.50
Keith Dubanevich	P	21.1	675.00	14,242.50
Jason Dotts	PL	66.1	295.00	19,499.50
<b>TOTAL</b>				<b>\$78,924.50</b>

**Role Legend**

P Partner  
S Shareholder  
SC Senior Counsel  
OF Of Counsel

A Associate  
LC Law Clerk  
PL Paralegal  
I Investigator  
SA Staff Attorney  
CA Contract Attorney

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**EXHIBIT 2 TO THE DECLARATION OF KEITH S. DUBANEVICH IN SUPPORT OF  
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**Summary Expense Report**  
Inception Through Today's Date

<b>Expense</b>	<b>Total Amount</b>
Electronic Research (Lexis/Westlaw/PACER)	313.55
Court Costs – Filing Fees	1,300.00
Litigation Fund Contribution	
Federal Express/Overnight Delivery/Messengers	
Photocopies – In House	
Photocopies – Outside	
Postage	
Service of Process Fees	1,649.92
Telephone/Fax	
Transportation/Meals/Lodging	
Co-Counsel Fees	
Experts/Consultant Fees	
Court Reporter Service/Hearing Transcript Fees	
<b>TOTAL EXPENSES</b>	<b>\$3,263.47</b>